

Message Text

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SUBJECT: GHANA BAR ASSOCIATION CALL FOR CIVILIAN RULE

1. IN A SURPRISING SHOW OF FEISTYNESS GHANA BAR ASSOCIATION PASSED RESOLUTIONS SEPT 23 AND 24 AT ITS ANNUAL CONVENTION IN KUMASI CALLING FOR RETURN TO CIVILIAN GOVERNMENT BY 1978 AND FOR ABOLITION OF MILITARY TRIBUNALS.

2. RESOLUTION ON CIVILIAN RULE URGED SUPREME MILITARY COUNCIL (SMC) TO TAKE IMMEDIATE STEPS TO RETURN COUNTRY TO CIVILIAN RULE NO LATER THAN 1978. TOWARDS THIS END, RESOLUTION ASKS GOVERNMENT TO SET UP IMMEDIATELY NECESSARY MACHINERY, INCLUDING APPOINTMENT OF A COMMITTEE

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TO PREPARE GROUNDWORK FOR CONSTITUTION. RESOLUTION NOTED SMC HAS SAID IT PLANS TO HAND OVER POWER TO CIVILIANS AFTER PUTTING THE COUNTRY'S ECONOMY ON A SOUND FOOTING, BUT ADDED THAT "IT IS THE CONSIDERED VIEW THAT INHERENT RIGHT OF THE PEOPLE TO REPRESENTATIVE GOVERNMENT CANNOT DEPEND ON ECONOMIC SITUATION OF THE COUNTRY..."

3. IN CALLING FOR ABOLITION OF MILITARY TRIBUNALS, ASSOCIATION SAID ACTIVITIES AND VIEWS OF SUCH BODIES ARE CONTRARY TO HUMAN RIGHTS CONVENTION, RULE OF LAW AND NATURAL JUSTICE. IT ADDED
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THAT GHANA'S EXISTING JUDICIAL MACHINERY IS ADEQUATE FOR TRIAL

OF CRIMES COMMITTED IN COUNTRY, AND URGED GBA MEMBERS NOT TO APPEAR FOR THE DEFENSE BEFORE MILITARY TRIBUNALS IN THE FUTURE. THIS IS THE SECOND YEAR IN WHICH GBA'S ANNUAL CONVENTION HAS CALLED FOR AN END TO MILITARY TRIBUNALS.

4. AS MIGHT BE EXPECTED, THERE HAS BEEN A GOOD DEAL OF REACTION TO GBA'S PROPOSALS. NOT SURPRISINGLY VIRTUALLY ALL PUBLIC REACTION HAS BEEN NEGATIVE. GHANAIAN TIMES AND DAILY GRAPHIC, BOTH OF WHICH ARE GOVERNMENT OWNED, RAN EDITORIALS SAME DAY THEY REPORTED GBA'S ACTIONS WHICH CONDEMNED CALL FOR A PRECIPITOUS RETURN TO CIVILIAN RULE. TIMES ATTACKED THE RESOLUTIONS AS BEING THE WORK OF A MINORITY, WHILE GRAPHIC, WHICH WAS MORE MODERATE IN ITS TONE, SAID SUCH A CALL WAS PREMATURE AND NOTED THAT DEMISE OF SECOND REPUBLIC WAS DUE TO A TOO HASTY HAND-OVER OF POWER BY MILITARY TO CIVILIANS. THE PAPERS HAVE ALSO GIVEN FRONT-PAGE COVERAGE TO STATEMENTS BY GHANA NATIONAL MUSLIM WOMEN'S ASSOCIATION AND BY PARAMOUNT CHIEF WHICH HAVE CALLED ON THE SMC TO REMAIN IN POWER BEYOND 1978. THE PEOPLES EVENING NEWS RAN A FRONT-PAGE EDITORIAL SEPT 27 WHICH ROUNDLY CONDEMNED THE GBA, ITS RESOLUTION, AND LAWYERS IN GENERAL. THE EDITORIAL'S KEY PHRASE WAS "... PURELY CIVILIAN GOVERNMENT WILL NOT WORK IN THE FORESEEABLE FUTURE IN THIS COUNTRY..." FINALLY, THE GRAPHIC PRINTED A LONG LETTER-TO-THE-EDITOR SEPT 28 WHICH ATTACKED THE GBA RESOLUTION AND CALLED ON THE SMC TO REMAIN IN POWER. PRESUMABLY MORE SUCH LETTERS WILL FOLLOW IN BOTH PAPERS. THE RESOLUTION ON MILITARY TRIBUNALS RECEIVED LESS EDITORIAL ATTENTION, BUT WAS, NEVERTHELESS, CRITICIZED BY THE GRAPHIC, TIMES AND EVENING NEWS.

5. COMMENT: ACHEAMPONG GOVERNMENT HAS ALWAYS BEEN TOUCHY ON SUBJECT OF CIVILIAN RULE. IN PAST, QUESTIONS RELATING TO THE SUBJECT HAVE BEEN MET WITH VAGUE ASSURANCES ABOUT GOVERNMENT'S INTENTIONS TO HAND OVER POWER TO CIVILIANS ONCE ECONOMY WAS ON ITS FEET. BUT AS COUNTRY'S ECONOMIC SITUATION DETERIORATES AND NIGERIA MOVES STEADILY TOWARDS A CIVILIAN GOVERNMENT, THESE ASSURANCES WILL CARRY LESS WEIGHT AND GOVERNMENT CAN EXPECT TO COME UNDER INCREASING PRESSURE FROM GHANAIAN ELITES TO SET UP MACHINERY THAT WILL ULTIMATELY LEAD TO CIVILIAN RULE. HOW THE GOVERNMENT WILL REACT TO THIS KIND OF PRESSURE REMAINS TO BE SEEN, BUT IT IS KNOWN THAT ACHEAMPONG, PROMPTED BY HIS FAVORITE SEER, SEES HIMSELF AS GHANA'S HEAD OF LIMITED OFFICIAL USE

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STATE FOR THE NEXT 4-5 YEARS AND WILL UNDOUBTEDLY NOT HAND OVER POWER WITHOUT SOME SORT OF FIGHT. LINEHAN

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